

Chapter 7 Juvenile Justice Services

Part 1 Division of Juvenile Justice Services - Functions and Duties

62A-7-101 Definitions.

As used in this chapter:

- (1) "Authority" means the Youth Parole Authority, established in accordance with Section 62A-7-501.
- (2) "Board" means the Board of Juvenile Justice Services established in accordance with Section 62A-1-105.
- (3) "Community-based program" means a nonsecure residential or nonresidential program designated to supervise and rehabilitate youth offenders in the least restrictive setting, consistent with public safety, and designated or operated by or under contract with the division.
- (4) "Control" means the authority to detain, restrict, and supervise a youth in a manner consistent with public safety and the well being of the youth and division employees.
- (5) "Court" means the juvenile court.
- (6) "Delinquent act" is an act which would constitute a felony or a misdemeanor if committed by an adult.
- (7) "Detention" means secure detention or home detention.
- (8) "Detention center" means a facility established in accordance with Title 62A, Chapter 7, Part 2, Detention Facilities.
- (9) "Director" means the director of the Division of Juvenile Justice Services.
- (10) "Discharge" means a written order of the Youth Parole Authority that removes a youth offender from its jurisdiction.
- (11) "Division" means the Division of Juvenile Justice Services.
- (12) "Home detention" means predispositional placement of a child in the child's home or a surrogate home with the consent of the child's parent, guardian, or custodian for conduct by a child who is alleged to have committed a delinquent act or postdispositional placement pursuant to Subsection 78A-6-117(2)(f) or 78A-6-1101(3).
- (13) "Observation and assessment program" means a service program operated or purchased by the division, that is responsible for temporary custody of youth offenders for observation.
- (14) "Parole" means a conditional release of a youth offender from residency in a secure facility to live outside that facility under the supervision of the Division of Juvenile Justice Services or other person designated by the division.
- (15) "Receiving center" means a nonsecure, nonresidential program established by the division or under contract with the division that is responsible for juveniles taken into custody by a law enforcement officer for status offenses or delinquent acts, but who do not meet the criteria for admission to secure detention or shelter.
- (16) "Rescission" means a written order of the Youth Parole Authority that rescinds a parole date.
- (17) "Revocation of parole" means a written order of the Youth Parole Authority that terminates parole supervision of a youth offender and directs return of the youth offender to the custody of a secure facility because of a violation of the conditions of parole.
- (18) "Runaway" means a youth who willfully leaves the residence of a parent or guardian without the permission of the parent or guardian.

- (19) "Secure detention" means predisposition placement in a facility operated by or under contract with the division, for conduct by a child who is alleged to have committed a delinquent act.
- (20) "Secure facility" means any facility operated by or under contract with the division, that provides 24-hour supervision and confinement for youth offenders committed to the division for custody and rehabilitation.
- (21) "Shelter" means the temporary care of children in physically unrestricted facilities pending court disposition or transfer to another jurisdiction.
- (22) "Temporary custody" means control and responsibility of nonadjudicated youth until the youth can be released to the parent, guardian, a responsible adult, or to an appropriate agency.
- (23) "Termination" means a written order of the Youth Parole Authority that terminates a youth offender from parole.
- (24) "Ungovernable" means a youth in conflict with a parent or guardian, and the conflict:
 - (a) results in behavior that is beyond the control or ability of the youth, or the parent or guardian, to manage effectively;
 - (b) poses a threat to the safety or well-being of the youth, the family, or others; or
 - (c) results in the situations in both Subsections (24)(a) and (b).
- (25) "Work program" means a public or private service work project established and administered by the division for youth offenders for the purpose of rehabilitation, education, and restitution to victims.
- (26) "Youth offender" means a person 12 years of age or older, and who has not reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and jurisdiction of the division, for confinement in a secure facility or supervision in the community, following adjudication for a delinquent act which would constitute a felony or misdemeanor if committed by an adult.
- (27)
 - (a) "Youth services" means services provided in an effort to resolve family conflict:
 - (i) for families in crisis when a minor is ungovernable or runaway; or
 - (ii) involving a minor and the minor's parent or guardian.
 - (b) These services include efforts to:
 - (i) resolve family conflict;
 - (ii) maintain or reunite minors with their families; and
 - (iii) divert minors from entering or escalating in the juvenile justice system;
 - (c) The services may provide:
 - (i) crisis intervention;
 - (ii) short-term shelter;
 - (iii) time out placement; and
 - (iv) family counseling.

Amended by Chapter 3, 2008 General Session

62A-7-102 Creation of division -- Jurisdiction.

There is created the Division of Juvenile Justice Services within the department, under the administration and supervision of the executive director, and under the policy direction of the board. The division has jurisdiction over all youth committed to it pursuant to Section 78A-6-117.

Amended by Chapter 3, 2008 General Session

62A-7-103 Division director -- Qualifications -- Responsibility.

- (1) The director of the division shall be appointed by the executive director with the concurrence of the board.
- (2) The director shall have a bachelor's degree from an accredited university or college, be experienced in administration, and be knowledgeable in youth corrections.
- (3) The director is the administrative head of the division.

Amended by Chapter 104, 1992 General Session

62A-7-104 Division responsibilities.

- (1) The division is responsible for all youth offenders committed to it by juvenile courts for secure confinement or supervision and treatment in the community.
- (2) The division shall:
 - (a) establish and administer a continuum of community, secure, and nonsecure programs for all youth offenders committed to the division;
 - (b) establish and maintain all detention and secure facilities and set minimum standards for those facilities;
 - (c) establish and operate prevention and early intervention youth services programs for nonadjudicated youth placed with the division; and
 - (d) establish observation and assessment programs necessary to serve youth offenders committed by the juvenile court for short-term observation under Subsection 78A-6-117(2)(e), and whenever possible, conduct the programs in settings separate and distinct from secure facilities for youth offenders.
- (3) The division shall place youth offenders committed to it in the most appropriate program for supervision and treatment.
- (4) In any order committing a youth offender to the division, the juvenile court shall specify whether the youth offender is being committed for secure confinement or placement in a community-based program. The division shall place the youth offender in the most appropriate program within the category specified by the court.
- (5) The division shall employ staff necessary to:
 - (a) supervise and control youth offenders in secure facilities or in the community;
 - (b) supervise and coordinate treatment of youth offenders committed to the division for placement in community-based programs; and
 - (c) control and supervise nonadjudicated youth placed with the division for temporary services in receiving centers, youth services, and other programs established by the division.
- (6) Youth in the custody or temporary custody of the division are controlled or detained in a manner consistent with public safety and rules promulgated by the division. In the event of an unauthorized leave from a secure facility, detention center, community-based program, receiving center, home, or any other designated placement, division employees have the authority and duty to locate and apprehend the youth, or to initiate action with local law enforcement agencies for assistance.
- (7) The division shall establish and operate compensatory-service work programs for youth offenders committed to the division by the juvenile court. The compensatory-service work program shall:
 - (a) provide labor to help in the operation, repair, and maintenance of public facilities, parks, highways, and other programs designated by the division;
 - (b) provide educational and prevocational programs in cooperation with the State Board of Education for youth offenders placed in the program; and
 - (c) provide counseling to youth offenders.

- (8) The division shall establish minimum standards for the operation of all private residential and nonresidential rehabilitation facilities which provide services to juveniles who have committed a delinquent act, in this state or in any other state.
- (9) In accordance with policies established by the board, the division shall provide regular training for staff of secure facilities, detention staff, case management staff, and staff of the community-based programs.
- (10)
 - (a) The division is authorized to employ special function officers, as defined in Section 53-13-105, to locate and apprehend minors who have absconded from division custody, transport minors taken into custody pursuant to division policy, investigate cases, and carry out other duties as assigned by the division.
 - (b) Special function officers may be employed through contract with the Department of Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.
- (11) The division shall designate employees to obtain the saliva DNA specimens required under Section 53-10-403. The division shall ensure that the designated employees receive appropriate training and that the specimens are obtained in accordance with accepted protocol.
- (12) The division shall register with the Department of Corrections any person who:
 - (a) has been adjudicated delinquent based on an offense listed in Subsection 77-41-102(17)(a);
 - (b) has been committed to the division for secure confinement; and
 - (c) remains in the division's custody 30 days prior to the person's 21st birthday.

Amended by Chapter 210, 2015 General Session

62A-7-104.5 Appropriation and funding of receiving centers.

Funding for receiving centers and youth services programs under this part is intended to be broad based, be provided by an appropriation by the Legislature to the division, and include federal grant money, local government money, and private donations.

Enacted by Chapter 452, 2013 General Session

62A-7-105.5 Information supplied to division.

- (1) Juvenile court probation sections shall render full and complete cooperation to the division in supplying the division with all pertinent information relating to youth offenders who have been committed to the division.
- (2) Information under Subsection (1) may include, but is not limited to, prior criminal history, social history, psychological evaluations, and identifying information specified by the division.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-106.5 Annual review of programs and facilities.

- (1)
 - (a) The division shall annually review all programs and facilities that provide services to juveniles who have committed a delinquent act, in this state or in any other state, which would constitute a felony or misdemeanor if committed by an adult, and license those programs and facilities that are in compliance with standards approved by the board. The division shall provide written reviews to the managers of those programs and facilities.
 - (b) Based upon policies established by the board, programs or facilities that are unable or unwilling to comply with the approved standards may not be licensed.

- (2) Any private facility or program providing services under this chapter that willfully fails to comply with the standards established by the division is guilty of a class B misdemeanor.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-107.5 Contracts with private providers.

- (1) This chapter does not prohibit the division from contracting with private providers or other agencies for the construction, operation, and maintenance of juvenile facilities or the provision of care, treatment, and supervision of youth offenders who have been committed to the care of the division.
- (2) All programs for the care, treatment, and supervision of youth offenders committed to the division shall be licensed in compliance with division standards within six months after commencing operation.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-108.5 Records -- Property of division.

- (1) All records maintained by programs that are under contract with the division to provide services to youth offenders, are the property of the division and shall be returned to it when the youth offender is terminated from the program.
- (2) The division shall maintain an accurate audit trail of information provided to other programs or agencies regarding youth offenders under its jurisdiction.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-109.5 Restitution by youth offender.

- (1) The division shall make reasonable efforts to ensure that restitution is made to the victim of a youth offender. Restitution shall be made through the employment of youth offenders in work programs. However, reimbursement to the victim of a youth offender is conditional upon that youth offender's involvement in the work program.
- (2) Restitution may be made a condition of release, placement, or parole by the division. In the event of parole revocation or, where there is no court order requiring restitution to the victim and the loss to the victim has been determined, the division shall evaluate whether restitution is appropriate and, if so, the amount or type of restitution to which the victim is entitled.
- (3) The division shall notify the juvenile court of all restitution paid to victims through the employment of youth offenders in work programs.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-111.5 Cost of support and maintenance of youth offender -- Responsibility.

On commitment of a youth offender to the division, and on recommendation of the division to the juvenile court, the juvenile court may order the youth offender or his parent, guardian, or custodian, to share in the costs of support and maintenance for the youth offender during his term of commitment.

Amended by Chapter 308, 2007 General Session

Part 2

Detention Facilities

62A-7-201 Confinement -- Facilities -- Restrictions.

- (1) Children under 18 years of age, who are apprehended by any officer or brought before any court for examination under any provision of state law, may not be confined in jails, lockups, or cells used for persons 18 years of age or older who are charged with crime, or in secure postadjudication correctional facilities operated by the division, except as provided in Subsection (2), other specific statute, or in conformance with standards approved by the board.
- (2)
 - (a) Children charged with crimes under Section 78A-6-701, as a serious youth offender under Section 78A-6-702 and bound over to the jurisdiction of the district court, or certified to stand trial as an adult pursuant to Section 78A-6-703, if detained, shall be detained as provided in these sections.
 - (b) Children detained in adult facilities under Section 78A-6-702 or 78A-6-703 prior to a hearing before a magistrate, or under Subsection 78A-6-113(3), may only be held in certified juvenile detention accommodations in accordance with rules promulgated by the division. Those rules shall include standards for acceptable sight and sound separation from adult inmates. The division certifies facilities that are in compliance with the division's standards. The provisions of this Subsection (2)(b) do not apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).
- (3) In areas of low density population, the division may, by rule, approve juvenile holding accommodations within adult facilities that have acceptable sight and sound separation. Those facilities shall be used only for short-term holding purposes, with a maximum confinement of six hours, for children alleged to have committed an act which would be a criminal offense if committed by an adult. Acceptable short-term holding purposes are: identification, notification of juvenile court officials, processing, and allowance of adequate time for evaluation of needs and circumstances regarding release or transfer to a shelter or detention facility. The provisions of this Subsection (3) do not apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).
- (4) Children who are alleged to have committed an act which would be a criminal offense if committed by an adult, may be detained in holding rooms in local law enforcement agency facilities for a maximum of two hours, for identification or interrogation, or while awaiting release to a parent or other responsible adult. Those rooms shall be certified by the division, according to the division's rules. Those rules shall include provisions for constant supervision and for sight and sound separation from adult inmates.
- (5) Willful failure to comply with any of the provisions of this section is a class B misdemeanor.
- (6)
 - (a) The division is responsible for the custody and detention of children under 18 years of age who require detention care prior to trial or examination, or while awaiting assignment to a home or facility, as a dispositional placement under Subsection 78A-6-117(2)(f)(i) or 78A-6-1101(3)(a), and of youth offenders under Subsection 62A-7-504(8). The provisions of this Subsection (6)(a) do not apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).
 - (b) The division shall provide standards for custody or detention under Subsections (2)(b), (3), and (4), and shall determine and set standards for conditions of care and confinement of children in detention facilities.

- (c) All other custody or detention shall be provided by the division, or by contract with a public or private agency willing to undertake temporary custody or detention upon agreed terms, or in suitable premises distinct and separate from the general jails, lockups, or cells used in law enforcement and corrections systems. The provisions of this Subsection (6)(c) do not apply to juveniles held in an adult detention facility in accordance with Subsection (2)(a).

Amended by Chapter 338, 2015 General Session

62A-7-202 Location of detention facilities and services.

- (1) The division shall provide detention facilities and services in each county, or group of counties, as the population demands, in accordance with the provisions of this chapter.
- (2) The division, through its detention centers, is responsible for development, implementation, and administration of home detention services, and shall establish criteria for placement on home detention.
- (3) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing standards for admission to secure detention and home detention programs.
- (4) The division shall provide training regarding implementation of the rules to law enforcement agencies, division employees, juvenile court employees, and other affected agencies and individuals upon their request.

Amended by Chapter 382, 2008 General Session

62A-7-203 Detention -- Physical facilities.

The division may issue requests for proposals to allow for the private construction of facilities suitable to meet the detention requirements of any county or group of counties, subject to approval by the governor. The governor shall furnish an analysis of the benefits of the proposals received to the Infrastructure and General Government Appropriations Subcommittee for its review.

Amended by Chapter 242, 2012 General Session

Part 4 Secure Facilities

62A-7-401.5 Secure facilities.

- (1) The division shall maintain and operate secure facilities for the custody and rehabilitation of youth offenders who pose a danger of serious bodily harm to others, who cannot be controlled in a less secure setting, or who have engaged in a pattern of conduct characterized by persistent and serious criminal offenses which, as demonstrated through the use of other alternatives, cannot be controlled in a less secure setting.
- (2) The director shall appoint an administrator for each secure facility. An administrator of a secure facility shall have experience in social work, law, criminology, corrections, or a related field, and also in administration.
- (3)

- (a) The division, in cooperation with the State Board of Education, shall provide instruction, or make instruction available, to youth offenders in secure facilities. The instruction shall be appropriate to the age, needs, and range of abilities of the youth offender.
- (b) An assessment shall be made of each youth offender by the appropriate secure facility to determine the offender's abilities, possible learning disabilities, interests, attitudes, and other attributes related to appropriate educational programs.
- (c) Prevocational education shall be provided to acquaint youth offenders with vocations, and vocational requirements and opportunities.
- (4) The division shall place youth offenders who have been committed to the division for secure confinement and rehabilitation in a secure facility, operated by the division or by a private entity, that is appropriate to ensure that humane care and rehabilitation opportunities are afforded to the youth offender.
- (5) The division shall adopt, subject to approval by the board, standards, policies, and procedures for the regulation and operation of secure facilities, consistent with state and federal law.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-402 Aiding or concealing youth offender -- Trespass -- Criminal penalties.

- (1) A person who commits any of the following offenses is guilty of a class A misdemeanor:
 - (a) entering, or attempting to enter, a building or enclosure appropriated to the use of youth offenders, without permission;
 - (b) entering any premises belonging to a secure facility and committing or attempting to commit a trespass or damage on those premises; or
 - (c) willfully annoying or disturbing the peace and quiet of a secure facility or of a youth offender in a secure facility.
- (2) A person is guilty of a third degree felony who:
 - (a) knowingly harbors or conceals a youth offender who has:
 - (i) escaped from a secure facility; or
 - (ii) absconded from:
 - (A) a facility or supervision; or
 - (B) supervision of the Division of Juvenile Justice Services; or
 - (b) willfully aided or assisted a youth offender who has been lawfully committed to a secure facility in escaping or attempting to escape from that facility.
- (3) As used in this section:
 - (a) a youth offender absconds from a facility when he:
 - (i) leaves the facility without permission; or
 - (ii) fails to return at a prescribed time.
 - (b) A youth offender absconds from supervision when he:
 - (i) changes his residence from the residence that he reported to the division as his correct address to another residence, without notifying the Division of Juvenile Justice Services or obtaining permission; or
 - (ii) for the purpose of avoiding supervision:
 - (A) hides at a different location from his reported residence; or
 - (B) leaves his reported residence.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-403 Care of pregnant youth offender.

- (1) When a youth offender in a secure facility is pregnant, the division shall ensure that adequate prenatal and postnatal care is provided, and shall place her in an accredited hospital before delivery. As soon as her condition after delivery will permit, the youth offender may be returned to the secure facility.
- (2) If the division has concern regarding the youth offender's fitness to raise her child, the division shall petition the juvenile court to hold a custody hearing.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-404 Commitment -- Termination and review.

- (1) A youth offender who has been committed to a secure facility shall remain until the offender reaches the age of 21, is paroled, or is discharged.
- (2) A youth offender who has been committed to a secure facility shall appear before the authority within 90 days after commitment, for review of treatment plans and establishment of parole release guidelines.

Renumbered and Amended by Chapter 13, 2005 General Session

Part 5

Youth Parole Authority

62A-7-501 Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.

- (1) There is created within the division a Youth Parole Authority.
- (2)
 - (a) The authority is composed of 10 part-time members and five pro tempore members who are residents of this state. No more than three pro tempore members may serve on the authority at any one time.
 - (b) Throughout this section, the term "member" refers to both part-time and pro tempore members of the Youth Parole Authority.
- (3)
 - (a) Except as required by Subsection (3)(b), members shall be appointed to four-year terms by the governor with the consent of the Senate.
 - (b) The governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of authority members are staggered so that approximately half of the authority is appointed every two years.
- (4) Each member shall have training or experience in social work, law, juvenile or criminal justice, or related behavioral sciences.
- (5) When a vacancy occurs in the membership for any reason, the replacement member shall be appointed for the unexpired term.
- (6) During the tenure of his appointment, a member may not:
 - (a) be an employee of the department, other than in his capacity as a member of the authority;
 - (b) hold any public office;
 - (c) hold any position in the state's juvenile justice system; or
 - (d) be an employee, officer, advisor, policy board member, or subcontractor of any juvenile justice agency or its contractor.

- (7) In extraordinary circumstances or when a regular member is absent or otherwise unavailable, the chair may assign a pro tempore member to act in the absent member's place.
- (8) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (9) The authority shall determine appropriate parole dates for youth offenders, based on guidelines established by the board. The board shall review and update policy guidelines annually.
- (10) Youth offenders may be paroled to their own homes, to a residential community-based program, to a nonresidential community-based treatment program, to an approved independent living setting, or to other appropriate residences, but shall remain on parole until parole is terminated by the authority.
- (11) The division's case management staff shall implement parole release plans and shall supervise youth offenders while on parole.
- (12) The division shall permit the authority to have reasonable access to youth offenders in secure facilities and shall furnish all pertinent data requested by the authority in matters of parole, revocation, and termination.

Amended by Chapter 286, 2010 General Session

62A-7-502 Youth Parole Authority -- Parole procedures.

- (1) The authority has responsibility for parole release, rescission, revocation, and termination for youth offenders who have been committed to the division for secure confinement. The authority shall determine when and under what conditions youth offenders who have been committed to a secure facility are eligible for parole.
- (2) Each youth offender shall be served with notice of parole hearings, and has the right to personally appear before the authority for parole consideration.
- (3) Orders and decisions of the authority shall be in writing, and each youth offender shall be provided written notice of the authority's reasoning and decision in his case.
- (4) The authority shall establish policies and procedures, subject to board approval, for the authority's governance, meetings, hearings, the conduct of proceedings before it, the parole of youth offenders, and the general conditions under which parole may be granted, rescinded, revoked, modified, and terminated.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-503 Administrative officer of Youth Parole Authority.

The director shall appoint an administrative officer of the authority, who is responsible for the day-to-day operations of the authority.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-504 Parole revocation -- Hearing -- Procedures.

- (1) The authority may revoke the parole of a youth offender after a hearing and upon determination that there has been a violation of law or of a condition of parole by the youth offender which warrants his return to a secure facility. The parole revocation hearing shall be held at a secure facility.

- (2) Before returning a youth offender to a secure facility for a parole revocation hearing, the division shall provide a prerevocation hearing within the vicinity of the alleged violation, to determine whether there is probable cause to believe that the youth offender violated the conditions of his parole. Upon a finding of probable cause, the youth offender may be remanded to a secure facility, pending a revocation hearing.
- (3) A paroled youth offender is entitled to legal representation at the parole revocation hearing, and if the youth offender or his family has requested but cannot afford legal representation, the authority shall appoint legal counsel.
- (4) The authority and the administrative officer have power to issue subpoenas, compel attendance of witnesses, compel production of books, papers and other documents, administer oaths, and take testimony under oath for the purposes of conducting the hearings.
- (5)
 - (a) A youth offender shall receive timely advance notice of the date, time, place, and reason for the hearing, and has the right to appear at the hearing.
 - (b) The authority shall provide the youth offender an opportunity to be heard, to present witnesses and evidence, and to confront and cross-examine adverse witnesses, unless there is good cause for disallowing that confrontation.
- (6) Decisions in parole revocation hearings shall be reached by a majority vote of the present members of the authority.
- (7) The administrative officer shall maintain summary records of all hearings and provide written notice to the youth offender of the decision and reason for the decision.
- (8)
 - (a) The authority may issue a warrant to order any peace officer or division employee to take into custody a youth offender alleged to be in violation of parole conditions.
 - (b) The division may issue a warrant to any peace officer or division employee to retake a youth offender who has escaped from a secure facility.
 - (c) Based upon the warrant issued under this Subsection (8), a youth offender may be held in a local detention facility for no longer than 48 hours, excluding weekends and legal holidays, to allow time for a prerevocation hearing of the alleged parole violation, or in the case of an escapee, arrangement for transportation to the secure facility.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-505 Conditions of parole.

Conditions of parole shall be specified in writing and agreed to by the youth offender. That agreement shall be evidenced by the signature of the youth offender, which shall be affixed to the parole document.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-506 Discharge of youth offender.

- (1) A youth offender may be discharged from the jurisdiction of the division at any time, by written order of the Youth Parole Authority, upon a finding that no further purpose would be served by secure confinement or supervision in a community setting.
- (2) Discharge of a youth offender shall be in accordance with policies approved by the board.
- (3) Discharge of a youth offender is a complete release of all penalties incurred by adjudication of the offense for which the youth offender was committed.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-507 Appeal regarding parole release or revocation.

- (1) A youth offender, or the parent or legal guardian of a youth offender, may appeal to the executive director or his designee any decision of the authority regarding parole release, rescission, or revocation.
- (2) The executive director or his designee may set aside or remand the authority's decision only if it is arbitrary, capricious, an abuse of discretion, or contrary to law.

Renumbered and Amended by Chapter 13, 2005 General Session

Part 6 Prevention and Early Intervention

62A-7-601 Youth services for prevention and early intervention -- Program standards -- Program services.

- (1) The division shall establish and operate prevention and early intervention youth services programs.
- (2) The division shall adopt with the approval of the board statewide policies and procedures, including minimum standards for the organization and operation of youth services programs.
- (3) The division shall establish housing, programs, and procedures to ensure that youth who are receiving services under this section and who are not in the custody of the division are served separately from youth who are in custody of the division.
- (4) The division may enter into contracts with state and local governmental entities and private providers to provide the youth services.
- (5) The division shall establish and administer juvenile receiving centers and other programs to provide temporary custody, care, risk-needs assessments, evaluations, and control for nonadjudicated youth placed with the division.

Renumbered and Amended by Chapter 13, 2005 General Session

Part 7 Community-Based Programs

62A-7-701 Community-based programs.

- (1) The division shall operate residential and nonresidential community-based programs to provide care, treatment, and supervision for paroled youth offenders and for youth offenders committed to the division by juvenile courts.
- (2) The division shall adopt, with the approval of the board, minimum standards for the organization and operation of community-based corrections programs for youth offenders.
- (3) The division shall place youth offenders committed to it for community-based programs in the most appropriate program based upon the division's evaluation of the youth offender's needs and the division's available resources.

Renumbered and Amended by Chapter 13, 2005 General Session

62A-7-702 Case management staff.

- (1) The division shall provide a sufficient number of case management staff members to provide care, treatment, and supervision for youth offenders on parole and for youth offenders committed to the division by the juvenile courts for community-based programs.
- (2)
 - (a) Case management staff shall develop treatment programs for each youth offender in the community, provide appropriate services, and monitor individual progress.
 - (b) Progress reports shall be filed every three months with the juvenile court for each youth offender committed to the division for community-based programs and with the authority for each parolee.
 - (c) The authority, in the case of parolees, or the juvenile court, in the case of youth committed to the division for placement in community programs, shall be immediately notified, in writing, of any violation of law or of conditions of parole or placement.
- (3) Case management staff shall:
 - (a) conduct investigations and make reports requested by the courts to aid them in determining appropriate case dispositions; and
 - (b) conduct investigations and make reports requested by the authority to aid it in making appropriate dispositions in cases of parole, revocation, and termination.

Renumbered and Amended by Chapter 13, 2005 General Session